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U.S. DISTRICT COURT
MIDDLE DISTRICT OF TN

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISRTICT OF TENNESSEE

Terry Sheridan, a man,	CASE NO:
Plaintiff(s)	VERIFIED COMPLAINT FOR DAMAGES
vs.	
Diversified Consultants, Inc.;	
Defendant(s)	**JURY TRIAL DEMANDED**

COMES NOW, the Plaintiff Terry Sheridan complaining of the defendant (s) and each of them as follows;

INTRODUCTION

1. This action is an action brought by the Plaintiff for violation of the Fair Credit Reporting Act, 15 U.S.C§1681b et al against the defendant(s) and each of them.

I. THE PARTIES

2. Plaintiff(s) Terry Sheridan is now and at all times relevant to this action a natural person. Plaintiff is a consumer as that term is defined within 15 USC§1681.

3. Defendant, Diversified Consultants, Inc., is a limited liability corporation formed under the laws of the State of Kansas. It has a principle place of business located at 10550 Deerwood Park Blvd. Ste. 309, Jacksonville, FL 32256-2805. Defendant, Diversified Consultants, Inc., are debt collectors as that term is defined by 15 USC§1681 seq.

II. JURISDICTION AND VENUE

4. The US District Court has jurisdiction pursuant to 15 USC§1681p *et* al, and 28 USC§1331, and the court has concurrent jurisdiction over Plaintiffs tort state claims. Venue is proper as the occurrences which give rise to this action took place within the state. Therefore venue is proper in this court. All conditions precedent to the bringing of this action has been performed. The violation's which gives rise to this action occurred in Davidson County and state of Tennessee, and Plaintiff resides in Davidson County and state of Tennessee.

III. FACTUAL ALLEGATIONS

5. Plaintiff, on or about March 19, 2014 and February 27, 2015obtained his three consumer credit reports from the three (3) major credit reporting bureaus Equifax, Transunion and Experian. Plaintiff at these times noticed and found an inquiry by defendant Diversified Consultants, Inc., to obtain Plaintiff's consumer credit report on March 29, 2012, May 29, 2012 and October 13, 2014.

6. Accordingly the discovery of the violations stated herein occurred on March 19, 2014, and February 27, 2015 therefore are within the statute of limitations as defined in the FCRA, 15 USC§1681p.

IV. FIRST CAUSE OF ACTION
VIOLATION OF 15 USC§1681b FAIR CREDIT REPORTING ACT
(DEFENDANT)

7. Paragraphs 1-6 are re-alleged as though fully set out herein.

8. Plaintiffs is a consumer within the meaning of the FCRA, 15 USC§1681a(c).

9. Transunion, Equifax, and Experian are "credit providers" within the meaning of 15 USC§1681(a)(f).

10. Plaintiff's consumer credit report is a consumer report within the meaning of the FCRA, 15 USC§1681(a)(d).

11. The FCRA, 15 USC§1681(b) defines the permissible purpose for which a person may obtain a consumer credit report.

12. Such permissible purposes as defined by 15 USC§1681(b) are generally, if the consumer makes application for credit, makes application for employment, for underwriting of insurance involving the consumer, or is proffered a bona fide offer of credit as a result of the inquiry.

13. Plaintiff has never had any business dealings with the defendant, nor has Plaintiff applied for any credit or services, or employment as defined in 15 USC§1681(b), neither has Plaintiff executed any contracts resulting in an account in favor of the defendant.

14. On March 29, 2012 May 29, 2012 and October 13, 2014, defendant obtained Plaintiffs consumer credit report with no "permissible purpose" and these actions appear to be a violation of 15 USC §1681(b).

15. Plaintiff notified Defendant of its dispute by mail.

16. Plaintiff notified defendant of its violations in an attempt to mitigate his damages and obtain settlement prior to bringing this action.

17. At no time did Plaintiff give the defendant permission to obtain his/her consumer credit report from any credit reporting agency. The actions of the defendant in obtaining Plaintiff's consumer credit report with no permissible purpose or Plaintiffs consent was a willful violation of 15 USC§1681(b), and an egregious violation of Plaintiff's right to privacy. Defendant's violation may also be a criminal violation pursuant to 15 USC§1681q.

18. Defendant had a duty to properly ascertain if there was in fact any legitimate permissible purpose for obtaining Plaintiff's consumer credit report. Defendant however breached said duty by failing to do so. There was no

"account" as defined in 15 U.S. Code § 1681a (r) (4) and 15 U.S. Code § 1693a (2) that Defendant had a right to collect, resulting in defendant obtaining Plaintiff's consumer credit report. Therefore it appears Plaintiff is entitled to damages by operation of law.

WHEREFORE, Plaintiff demands judgment for damages against the defendant, Diversified Consultants, Inc., for statutory damages of $3,000.00, plus costs, attorney's fees and punitive damages pursuant to 15 USC§1681n.

Dated: January 25, 2016

BY: ______________________

Terry Sheridan, *Plaintiff*